

EXERCISE OF RENEWAL OPTION

GOVERNMENT OF
THE UNITED STATES VIRGIN ISLANDS

DEPARTMENT OF PROPERTY & PROCUREMENT

CONTRACT NO.: S010DOEC19 (ESF)

DATED: March 12, 2019

EXERCISE OF RENEWAL OPTION

| Contractor | Description of Scope of Work/Services |
|--|---|
| ES Foods, Inc. 20 Crossways Park N. Woodbury, NY 11797 | Price and Delivery of Milk for the Department of Education – St. Croix District |

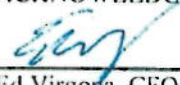
Pursuant to the renewal option provision of Contract No. **S010DOEC19 (ESF)** and subject to the appropriation and allotment of necessary funds, notice is hereby given that the Government of the U.S. Virgin Islands, **Department of Education** exercises its option to renew and does hereby renew the aforementioned contract for the period **February 20, 2020 through February 19, 2021** at the stipulated cost therein.

All the terms, covenants, and conditions of the contract affected shall continue in full force and effect.

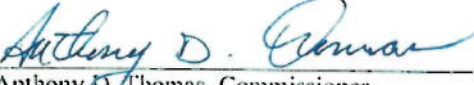
Please acknowledge receipt and acceptance hereby signing and returning the original to:

The Department of Property and Procurement
#32 Estate Richmond
Christiansted, St. Croix USVI 00820

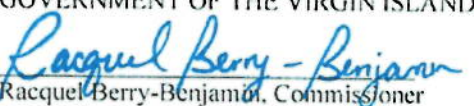
ACKNOWLEDGMENT & ACCEPTANCE:


Ed Virgona, CFO
ES Foods, Inc.

DATE: 2/17/20


Anthony D. Thomas, Commissioner
Department of Property & Procurement

GOVERNMENT OF THE VIRGIN ISLANDS


Racquel Berry-Benjamin, Commissioner
Department of Education

DATE: 2/17/2020

2/18/2020
DATE

S010DOEC19 (ESF) – R



OPC/MR

AMENDMENT No. 1 OF
SUPPLY CONTRACT NO. S010DOEC19 (ESF)

THIS AMENDMENT made as of the 5th day of March, 2020 in the Territory of the Virgin Islands, by and between the Government of the Virgin Islands DEPARTMENT OF PROPERTY AND PROCUREMENT (DPP), on behalf of the VIRGIN ISLANDS DEPARTMENT OF EDUCATION (DOE) (hereinafter referred to as "Government") and E S Foods, Inc. whose address is 20 Crossways Park North, Suite 100, Woodbury, NY 11797 (hereinafter referred to as "Contractor").

Both parties witness to being duly authorized to execute this agreement and will attest accordingly when and where necessary.

WITNESSETH

WHEREAS, pursuant to Supply Contract No. S010DOEC19 (ESF) approved by the Commissioner of Property and Procurement on March 12, 2019 and a renewed by Contract No. S010DOEC19 (ESF)-R and approved by the Commissioner of Property and Procurement on February 18, 2020 (which constitute and are hereinafter referred to as the "Contract"), the Government contracted with Contractor to provide delivery of milk products and

WHEREAS, the Supply Contract expires pursuant to its terms on February 19, 2021 and

WHEREAS, the parties desire to amend the Supply Contract, to increase the compensation for each awarded line item listed in Attachment A (Compensation) on the original contract; and

NOW THEREFORE, for mutual and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

TERMS AND CONDITIONS

1. Attachment A – Compensation is hereby amended to increase the compensation for each awarded line item and by deleting all the existing language contained therein and replacing it with new language as follows:

"The Government, in consideration of the satisfactory performance of the services described in bid's Scope of Work agrees to make progress payments based on invoices submitted by the Contractor, E S Foods, Inc. in accordance with the provisions set forth in Amended Attachment A (Compensation) attached hereto and made a part of this Contract."



OPCMR

2. Attachment A of the Contract is revised by deleting all terms contained therein and inserting in lieu thereof all of the terms contained in the new Amended Attachment A attached hereto as Amended Attachment A.
3. This Amendment is subject to the approval of the Commissioner of Property and Procurement and to the appropriation and availability of funds.
4. Except as expressly amended in this Amendment, all terms of the Supply Contract and Amendment No. 1 remain in full force and effect.

IN WITNESS WHEREOF, the Parties have hereunto set their hands on the day and year first above written.

WITNESSES: GOVERNMENT OF THE VIRGIN ISLANDS

1. Racquel Berry Benjamin

Racquel Berry Benjamin, Commissioner
Department of Education

3/5/2020

Date

2. [Signature]

1. Anthony D. Thomas

Anthony D. Thomas, Commissioner
Department of Property & Procurement

3/5/2020

Date

2. [Signature]

WITNESSES

CONTRACTOR

1. Ed Virgona

Ed Virgona, CFO
E S Foods, Inc.

3/4/20

Date

2. [Signature]